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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 20-CR-45-F

CODY DONOVAN SMITH,

Defendant.

**GOVERNMENT'S SUPPLEMENTAL NOTICE OF INTENT TO OFFER
EXPERT TESTIMONY PURSUANT TO RULE 16(a)(1)(G)**

COMES NOW the United States of America, by and through its attorney, Christyne Martens, Assistant United States Attorney for the District of Wyoming, and gives *supplemental* notice, pursuant to Rule 16(a)(1)(G) of the intent to offer the testimony of expert witnesses in the above captioned case.

DNA Forensic Examiner, Amanda Bakker, FBI Laboratory

Qualifications: Ms. Bakker is a forensic examiner in the DNA Casework Unit of the Federal Bureau of Investigation laboratory in Quantico, Virginia. Ms. Bakker's qualifications are more fully outlined in her attached Curriculum Vitae, *Exhibit 1*.

Summary of Testimony: Ms. Bakker will testify generally about DNA analysis and testing, why the tests performed were performed, why other tests were not performed, and why particular areas of evidence were tested for DNA when others were not. Ms. Bakker will explain the statistical analysis employed in her DNA report, and will explain and describe the population statistics relied upon. Further, Ms. Bakker will testify to the comparisons of the DNA with the samples she received for testing and will testify to the process and procedures she used in her analysis and will testify consistently to her results, opinions, and conclusions of this analysis as set forth in her laboratory report, which will be provided upon receipt.

Trace Evidence Forensic Examiner, Candi Shegogue, FBI Laboratory

Qualifications: Ms. Shegogue is a supervisory forensic examiner in the Trace Evidence Unit of the Federal Bureau of Investigation laboratory in Quantico, Virginia. Ms. Shegogue's qualifications are more fully outlined in her attached Curriculum Vitae, *Exhibit 2*.

Summary of Testimony: Ms. Shegogue will generally testify as to the manner and methodologies by which she carries out her job duties, including the examination, identification, and comparison of trace evidence. She will testify about the examination of evidentiary items she conducted in this case. She will further testify as to the results, her observations, conclusions and opinions regarding testing and analysis in this matter, consistent with her examination report as it relates to this case. In conjunction with this examination, Ms. Shegogue will provide a written report as to her testing methods, analysis, and opinions, which will be provided to counsel upon receipt.

Latent Print Forensic Examiner, Dyanne Carpenter, FBI Laboratory

Qualifications: Ms. Carpenter is a forensic examiner in the Latent Print Operations Unit of the Federal Bureau of Investigation laboratory in Quantico, Virginia. Ms. Carpenter's qualifications are more fully outlined in her attached Curriculum Vitae, *Exhibit 3*.

Summary of Testimony: Ms. Carpenter will testify about the examination and testing she conducted on evidentiary items seized in this case. Ms. Carpenter will provide a written report of her findings once her examination of these items are concluded, which will be provided upon receipt. Ms. Carpenter will testify consistently with her report, which will outline her testing methods, analysis, opinions and conclusions regarding her examination of the evidentiary items in this case. It is anticipated Ms. Carpenter will generally testify as to the manner and methodologies regarding latent print testing and analysis, as well as her specific testing, observations and opinions in this matter.

The United States reserves the right to supplement the notice of expert witness testimony pursuant to the continuing duty to disclose pursuant to Rule 16(a), Federal Rules of Criminal Procedure. Investigations in criminal cases are ongoing and additional evidence may be discovered requiring additional expert witness testimony.

Respectfully submitted this 1st day of June, 2020.

MARK A. KLAASSEN
United States Attorney

By: /s/ Christyne M. Martens
CHRISTYNE M. MARTENS
Assistant United States Attorney

CERTIFICATE OF SERVICE

This is to certify that on the 1st day of June, 2020, I served a true and correct copy of the foregoing **Government's Supplemental Notice of Intent to Offer Expert Testimony Pursuant to Rule 16(A)(1)(G)** upon counsel of record by electronic filing.

Lisa Wait
For the United States Attorney's Office

EXHIBIT ONE
Curriculum Vitae of Amanda Bakker

CURRICULUM VITAE

Updated: May 2020

Amanda N. Bakker
DNA Casework Unit
Federal Bureau of Investigation Laboratory
2501 Investigation Parkway
Quantico, Virginia 22135
(703) 632-8412

EDUCATION

- 2015 Coursework in Molecular Biology
Virginia Tech, Blacksburg, VA
- 2014 Coursework in Biochemistry
University of California, Berkeley
- 2007 Bachelor of Science in Biology
Salisbury University, Salisbury, MD

EXPERIENCE

- March 2015 – Present Forensic Examiner, DNA Casework Unit
FBI Laboratory, Quantico, VA
Training: ~2 year training program consisting of lectures, oral board examinations, moot court examinations, and competency test
- January 2009 – March 2015 Biologist, Nuclear DNA Unit
FBI Laboratory, Quantico, VA
Training: Two ~5 month training programs consisting of lectures, mock casework, and competency tests
- November 2007 – January 2009 Clerical II/Records Examiner, DNA Analysis Unit I
Federal Convicted Offender Program
Forfeiture Support Associates, FBI Laboratory, Quantico, VA
Job Duties: Received and checked-in DNA collection kits of known individuals from law enforcement agencies

MEETINGS/CONFERENCES ATTENDED

September 2019	International Symposium on Human Identification Palm Springs, CA
September 2018	Applied Biosystems' HID Future Trends in Forensic DNA Technology Seminar Washington, D.C.
February 2013	American Academy of Forensic Science 65 th Annual Scientific Meeting Washington, D.C.
August 2011	Applied Biosystems' HID Future Trends in Forensic DNA Technology Seminar Tyson's Corner, VA
June 2010	National Institute of Justice Conference
June 2009	Arlington, VA
November 2009	15th Annual Combined DNA Index System (CODIS) Conference Crystal City, VA
January 2009	Scientific Working Group on DNA Analysis Methods
July 2008	(SWGDAM) Meeting Fredericksburg, VA

LECTURES PRESENTED

2020-2015: 24 sessions	Basic Field Training Course Laboratory Discovery Workshop Quantico, VA
January 2020	Laboratory Evidence Response Basic
May 2017	Serology and DNA Fredericksburg, VA
April 2016	Evidence Response Team Serology and DNA Fredericksburg, VA

CONTINUING EDUCATION

April 2020 November 2015	Quality Assurance Standards/Auditor Training, CODIS Quantico, VA
February 2020	Quantifiler Trio Lecture Quantico, VA
October 2019 September 2019	Overview of NGS Chemistries and platform Quantico, VA
May 2019	The Y-HRD Database: How It Works and How To Use It In Casework Webcast Lecture by Dr. Lutz Roewer Quantico, VA
August 2018	Likelihood Ratios in Forensic Science Quantico, VA
July 2018	Using probabilistic theory to develop mixture interpretation guidelines for Y-STR profiles Lecture by Shawn Montpetit, TL – San Diego, PD Quantico, VA
September 2017	Advanced STRmix Training by Dr. Jo-Anne Bright Quantico, VA
July 2017	Likelihood Ratios in DNA Mixtures Interpretation Lecture by Steven Myers, California Department of Justice Quantico, VA
December 2016	Advanced STRmix Training by Dr. Jo-Anne Bright Quantico, VA
November 2016	Globalfiler PCR Amplification Kit/3500 Genetic Analyzer and STRmix Validation Lecture Quantico, VA
October 2016	Globalfiler PCR Amplification Kit/3500 Genetic Analyzer Validation Lecture Quantico, VA

August 2016	3500 Genetic Analyzer and Globalfiler PCR Amplification Kit Lecture provided by Thermo Fisher Scientific Quantico, VA
May 2016	Presentation Skills Course Training by Andrea Jeremiah, OTD Quantico, VA
October 2015	Probabilistic Genotyping-STRmix Training by Dr. John Buckleton and Dr. Jo-Anne Bright Quantico, VA
April 2013	DNA Mixture Interpretation Workshop National Institute of Standards and Technology Webinar Quantico, VA
August 2012	Serology and Semen Testing Validation and Workflow Training Quantico, VA
February 2012	Prostate Specific Antigen Study Presentation Quantico, VA
June 2011	American Society of Crime Laboratory Directors/Laboratory Accreditation Board – Internal Auditor Training Woodbridge, VA

TESTIMONY EXPERIENCE – 14 testimonies

February 2020	United States v. Keith Bernard Miller Southern District of Florida
July 2019	United States v. Lessie Earl Proctor Southern District of Florida
June 2019	United States v. Brendt Christensen Central District of Illinois
May 2019	State of Florida v. Zavion Alahad Circuit Court of the 17 th Judicial Circuit in and for Broward County Florida
March 2019	United States v. Adrian Hardy, et al Southern District of Florida

January 2019	State of Iowa v. Curtis Cortez Jones Iowa District Court for Johnson County
November 2018	People of the Virgin Islands v. Uric A. Smith, Jr. Superior Court of the Virgin Islands Division of St. Thomas and St. John
October 2018	United States v, Robbie Catchings Central District of California
August 2018	United States v. Christopher Leon Weckman Southern District of Iowa
May 2018	United States v. William Alberto Arocha, Jr. District of Montana
January 2018	United States v. Alonzo Marvon Gibbs Southern District of Iowa
December 2017	United States v. Jack William Morgan District of Nevada
June 2017	Unites States v. Kalolo Nathaniel Iu District of North Dakota
June 2017	United States v. Rajkumar Panneer Selvam Southern District of Florida

EXHIBIT TWO
Curriculum Vitae of Candi Shegogue

CURRICULUM VITAE

Candie W. Shegogue, M.S.

Federal Bureau of Investigation
Laboratory Division, Trace Evidence Unit
2501 Investigation Parkway
Quantico, VA 22135
(703) 632-7720 FAX (703) 632-7714

Professional Experience

Supervisory Forensic Examiner (October 2016 – Present)

Federal Bureau of Investigation
FBI Laboratory, Trace Evidence Unit
Quantico, VA

Supervise members of the Trace Evidence Unit Evidence Management, Mineralogy and Anthropology Groups. Examine items of physical evidence, collect and preserve trace evidence, identify and compare hairs as well as fibers, perform fabric and cordage examinations, prepare reports regarding findings, and provide expert testimony.

Physical Scientist / Forensic Examiner (December 2011 – October 2016)

Federal Bureau of Investigation
FBI Laboratory, Trace Evidence Unit
Quantico, VA

Examine items of physical evidence, collect and preserve trace evidence, identify and compare hairs as well as fibers, perform fabric and cordage examinations, prepare reports regarding findings, and provide expert testimony.

Physical Scientist (August 2009 – December 2011)

Federal Bureau of Investigation
FBI Laboratory, Trace Evidence Unit
Quantico, VA

Examined items of physical evidence, and collected and preserved trace evidence under the supervision of a Forensic Examiner. Performed preliminary fabric and cordage examinations and maintained case records.

Adjunct Professor (August 2008 - May 2012)

The University of Baltimore
Baltimore, MD

Served as an instructor for the University of Baltimore Forensic Science program and presented the following courses: "Instrumental Analysis" and "Laboratory Safety and Quality Assurance".

Physical Scientist (December 2007 – August 2009)

Oak Ridge Associated Universities
Terrorist Explosive Device Analytical Center
FBI Laboratory, Trace Evidence Unit
Quantico, VA

Examined items of physical evidence submitted to the Terrorist Explosive Device Analytical Center, and collected and preserved trace evidence. Performed preliminary fabric and cordage examinations, maintained case records and assisted in training new laboratory personnel.

Drug Analyst (April 2006 – December 2007)

Baltimore City Police Department
Baltimore, MD

Processed physical evidence submitted by the Baltimore City Police Department for presence/absence of illicit drugs, specifically Marijuana, Cocaine and Heroin. Prepared reports regarding findings and provided expert testimony.

Education

Bachelor of Science (BS)

The University of Baltimore (May 2007)
Major: Forensic Sciences

Master of Science (MS)

The University of Maryland, Baltimore County (May 2003)
Major: Applied Molecular Biology

Bachelor of Science (BS)

The University of Maryland, Baltimore County (May 2002)
Major: Biology

Professional Training

ASCLD/LAB Assessor Course for Testing Laboratories, Fairfax, VA (March 2016)

Characterization and Comparison of Dyed Fibers – West Virginia University, Morgantown, WV (July 2014)

Human Remains Recovery School - Federal Bureau of Investigation and the University of Tennessee, Knoxville, TN (March 2014)

Trace Evidence Physical Scientist/Forensic Examiner Training Program – Federal Bureau of Investigation, Quantico, VA (December 2011 – March 2014)

Textile Fundamentals – North Carolina State University, Raleigh, NC (June 2012)

Chemical and Physical Materials Analysis – Trace Evidence Symposium Workshop, Kansas City, MO (August 2011)

3-Track Workshop, Liquid Chromatography Mass Spectroscopy (LCMS) - Thermo Fisher Scientific (May 2011)

Evidence Response Team (ERT) Basic for Laboratory Personnel – Federal Bureau of Investigation, Woodbridge, VA (July 2010)

Trace Evidence Physical Scientist Technician Training Program – Federal Bureau of Investigation, Quantico, VA (August 2009 – October 2009)

Presentations and Publications

Candie W. Shegogue
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Trace Evidence – LeadAmerica, Washington, DC (July 2012)

Malik T, CW Shegogue, K Werner, L Ngo, C Sauder, C Zhang, WP Duprex, S Rubin, "Discrimination of mumps virus small hydrophobic gene deletion effects from gene translation effects on virus virulence," *J Virol*, Vol. 85, No. 12, June 2011, p. 6082-5. Epub 2011 Apr 6.

Christensen AM, VA Smith, V Ramos, C Shegogue, M Whitworth, "Primary and Secondary Skeletal Blast Trauma," *Journal of Forensic Science*, Vol. 57, No. 1, Feb. 22-27, 2010.

Malik TH, C Wolbert, L Nerret, C Sauder, S Rubin, "Single amino acid changes in the mumps virus haemagglutinin-neuraminidase and polymerase proteins are associated with neuroattenuation," *J Gen Virol*, Vol. 90, Part 7, 2009, p. 1741-7. Epub 2009 Mar 12.

Ovanesov MV, Y Ayhan, C Wolbert, K Moldovan, C Sauder, MV Pletnikov, "Astrocytes play a key role in activation of microglia by persistent Borna disease virus infection," *J Neuroinflammation*, Vol. 5, No. 50, November 2008.

Pedras-Vaasconcelos JA, M Puig, C Sauder, C Wolbert, M Ovanesov, D Goucher, D Verthelyi, "Immunotherapy with CpG oligonucleotides and antibodies to TNF-alpha rescues neonatal mice from lethal arenavirus-induced meningoencephalitis," *J Immunol*, Vol. 180, No. 12, June 15, 2008, p. 8231-40.

Malik T, C Sauder, C Wolbert, C Zhang, KM Carbone, S Rubin, "A single nucleotide change in the mumps virus F gene affects the virus fusogenicity in vitro and virulence in vivo," *J Neurovirol*, Vol. 13, No. 6, December 2007, p. 513-521.

Malik T, C Wolbert, J Mauldin, C Sauder, KM Carbone, SA Rubin, "Functional consequences of attenuating mutations in the haemagglutinin neuraminidase, fusion and polymerase proteins of a wild-type mumps virus strain," *J Gen Virol*, Vol. 88, Part 9, September 2007, p. 2533-41.

Meetings Attended

Trace Evidence Symposium – Kansas City, MO (August 2011)

Scientific Working Group for Materials Analysis (SWGMA) Presentation Day – Fredericksburg, VA (March 2011)

Trace Evidence Symposium – Clearwater Beach, FL (August 2009)

Virginia Institute of Forensic Science and Medicine Basic Forensic Science and Medicine Seminar - Richmond, VA (2004)

Professional Organizations

Organization of Scientific Area Committees (OSAC), Chemistry/Instrumental Analysis Scientific Area Committee's (SAC's) Materials (Trace) Subcommittee, Member - October 2016 to Present

Organization of Scientific Area Committees (OSAC), Materials (Trace), Strategic Plan / Outreach Initiative Task Group, Affiliate Member – February 2015 to Present

American Society of Trace Evidence Examiners (ASTEE) – July 2011 to Present

Testimonies

4/4/2017 People of the Virgin Islands vs. Leroy E. Hodge, ST-15-CR-F331, Hairs and Fibers

Candie W. Shegogue

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4/4/2019 State of Florida vs. Allen Bregman, F16015912, Hairs

EXHIBIT THREE
Curriculum Vitae of Dyanne Carpenter

Dyanne E. Carpenter, MSFS

FBI Laboratory
2501 Investigation Parkway
Quantico, Virginia 22135
Office: 703.632.8395 Cell: 202.497.6179 Fax: 703.632.7397
decarpenter@fbi.gov

PROFESSIONAL EXPERIENCE

Physical Scientist/Forensic Examiner

August 2010 – Present FBI Laboratory, Latent Print Operations Unit

Examine evidence for latent prints and compare those latent prints with the prints of known individuals.

Have been qualified as an expert witness in the discipline of latent prints and testified in Federal and State court.

Visiting Scientist

March 2008 – July 2010 Oak Ridge Institute for Science and Education, FBI Laboratory Counterterrorism and Forensic Science Research Unit

Conducted research to develop a methodology using cathodoluminescence as a means to differentiate both manmade and geological samples.

Adjunct Professor

Jan 2008 – May 2009 Virginia Commonwealth University

Instructed undergraduate Organic Chemistry I and Organic Chemistry II laboratory sessions.

Cross-Reference Analyst

March 2006 – Aug 2007 Thermo Fisher Scientific

Worked as part of a team responsible for enriching a database of Thermo Fisher Scientific franchise and competitor products.

EDUCATION

Virginia Commonwealth University

Aug 2007 – May 2009 Richmond, VA

Master of Science in Forensic Science (MSFS)
Concentrations – Trace and Physical Evidence

University of Pittsburgh

Aug 2001 – Dec 2005 Pittsburgh, PA

Bachelor of Science (BS)
Chemistry

PROFESSIONAL ORGANIZATIONS

Chesapeake Bay Division of the International Association for Identification

2011 – Present Member

PROFESSIONAL TRAINING RECEIVED

Advanced Latent Print Examiner Training Concepts
July 2019 Quantico, VA

Biometrics for Government and Law Enforcement Conference
February 2018 Alexandria, VA

Probabilistic Approach to Evidence Interpretation
September 2015 Quantico, VA

Exclusionology: Standards and Reducing Errors
March 2015 Quantico, VA

Defense Perspective on Latent Print Testimony
April 2013 Quantico, VA

Fundamental Concepts in the Vision and Cognitive Sciences
May 2012 Quantico, VA

Evidentiary Law Perspective on the Scientific Foundation of Fingerprint Testimony Seminar
April 2012 Quantico, VA

Latent Print Physical Scientist/Forensic Examiner Training Program, Federal Bureau of Investigation
Sept 2010 –May 2012 Quantico, VA

Advanced Palm Print Comparison Techniques
April 2011 Quantico, VA

CBD-IAI Educational Conference
March 2011 Cambridge, MD

American Academy of Forensic Sciences Conference
February 2013 Washington, DC
February 2010 Seattle, WA
February 2009 Denver, CO
February 2008 Washington, DC

National Institute of Justice Trace Evidence Symposium
August 2009 Clearwater, FL

PROFESSIONAL TRAINING & PRESENTATIONS PROVIDED

Latent Print Overview and Recording Major Case Prints (New Agents)
August 2010-Present Quantico, VA

Forgery and Fabrication of Latent Print Evidence (Physical Scientist Training Program)
July 2013-Present Quantico, VA

Presentation Skills Course (Adjunct Faculty Program)
May 2013-Present Fredericksburg, VA and Quantico, VA

Evidence Response Team Basic Course
March 2016-Present Fredericksburg, VA

Evidence Response Team Field Processing for Latent Prints Course
Nov 2016-Present Fredericksburg, VA

PROFESSIONAL TRAINING & PRESENTATIONS PROVIDED (con't)

Application of Cathodoluminescence (CL) Microscopy and Spectroscopy to the Analysis of Sediment Samples presentation, AAFS Conference

February 2010 Seattle, WA

Cathodoluminescence (CL) Microscopy and Spectroscopy Application to Soil/Sand poster, NIJ Trace Evidence Symposium

August 2009 Clearwater, FL

An Application of Cathodoluminescence to the Analysis and Comparison of Concrete Samples presentation, Forensic Science Symposium, Cedar Crest College

February 2009 Allentown, PA

An Application of Cathodoluminescence to the Analysis and Comparison of Concrete Samples presentation, AAFS Conference

February 2009 Denver, CO

PUBLICATION

Brokus, S.A.; Siletti, D.K.; Lunderberg, J.M.; DeYoung, P.A.; Peaslee, G.F.; Carpenter, D.E.; Buscaglia, J. (2014).

Cathodoluminescence Dependence on Feldspar Mineral Structure and Implications for Forensic Geology. *American Mineralogist* 10.2138/am.2013.4661

TESTIMONY EXPERIENCE (last four years)

State of Ohio v. Summer Malyshev

Steubenville, OH 2017

U.S. v. Joseph R. Johnson, Jr

Philadelphia, PA 2019